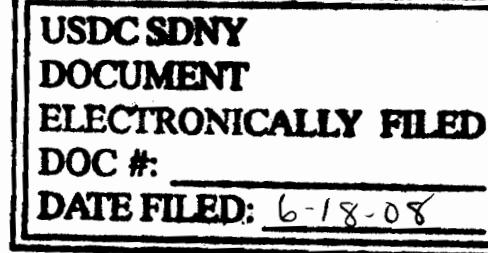


SAND/J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

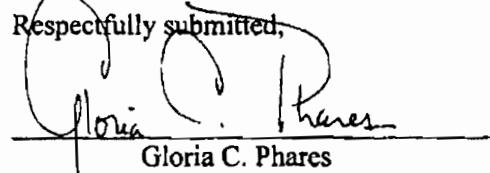
-----x
WEXFORD CAPITAL LLC,)
Plaintiff,)
v.)
WEXTRUST CAPITAL, LLC,)
Defendant.)
-----x



08 CV 00879 (LBS) (FM)

NOTICE OF VOLUNTARY DISMISSAL

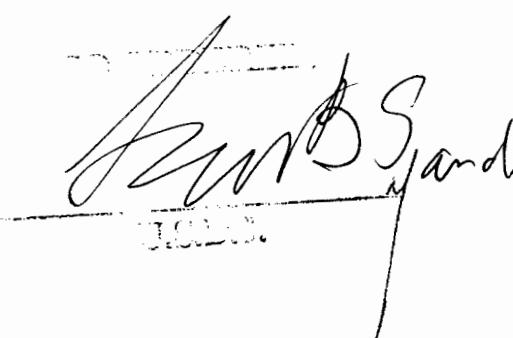
Pursuant to Fed. R. Civ. P. § 41(a)(1)(A)(i), plaintiff Wexford Capital LLC
hereby voluntarily dismisses this action without prejudice. The defendant has not answered, and
the parties have settled their dispute.

Respectfully submitted,

Gloria C. Phares

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Attorneys for Plaintiff Wexford Capital LLC

Dated: June 13, 2008


SAND/J